

Application No.: 10/584,920
Filing Date: December 28, 2006

REMARKS

In the Office Action of September 8, 2009, all pending claims were rejected. Applicants respectfully disagree with the rejections, but to expedite the prosecution of this application, Applicants have amended Claims 1, 2, 7, 8, 31, and 39-42. Applicants have also added new Claim 43. Claims 3-5 and 11-30 were previously cancelled. Thus, Claims 1, 2, 6-10, and 31-43 are currently pending.

The cited prior art lacks many limitations of the pending claims. For example, both Doyle and Patzer fail to disclose or suggest, in combination with other claimed features, at least a valved male luer medical connector with a valve member comprising:

“a proximal first portion. . .positioned within the external housing portion between the male luer projection and the female luer end portion in the closed position, and the first portion being positioned outside of the male luer projection in the closed position, and the second portion being positioned at least partially within the male luer projection in the closed position and generally enclosing inside of the second portion at least a portion of a first generally longitudinal fluid pathway and a second generally transverse fluid pathway, the first and second fluid pathways being in fluid communication,”

and

“a seal contacting the second portion of the valve member, the seal extending generally around a portion of the second portion of the valve member in both the open and closed positions.”

The cited prior art also fails to disclose or suggest additional elements of Claim 1 and other pending claims. Also, Patzer does not disclose a closeable male luer connector, and hence the disclosure of Patzer would not have been combined with Doyle by those of skill in the art. Thus, the pending claims are patentable over the cited references.

Applicants believe that they have addressed all of the issues in the Office Action. If the Examiner believes that any issue remains outstanding, Applicants respectfully request that the Examiner contact their undersigned patent counsel at the telephone number below to seek a resolution as expeditiously as possible.

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No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 3/2/10

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